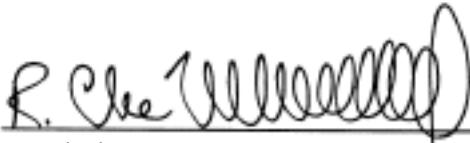


On the 15th day of April, 2010, the Court conducted a Telephonic Status Conference in the above case. Petitioner appeared via telephone and acting *pro se*; Respondent appeared via telephone by Stephen M. Horn, Assistant United States Attorney; Debbie H. Stevens, Special Assistant United States Attorney; Lara Crane, Special Assistant United States Attorney; and Christopher Crews, Special Assistant United States Attorney. During the hearing, the Court explained to Petitioner the status of his case and what actions Petitioner could expect in the future. The Court advised Petitioner that the following documents had recently been filed: (1) Respondent's Motion for Summary Judgment (Document No. 32.); (2) Respondent's Supplemental Authority (Document No. 34.); and (3) Respondent's Second Supplemental Authority (Document No. 35.). The undersigned informed Petitioner that he should review all documents filed by Respondent and file a response to Respondent's Motion for Summary Judgment. The Court explained it would be issuing Notice pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising Petitioner of his right to file a response to the Respondent's Motion for Summary Judgment. The parties further discussed the issues, pertinent statutes, applicable BOP Program Statements, and case law. The Court specifically discussed the possible applicability of Jefferson v. Berkebile, ___ F.Supp.2d ___, 2010

WL 391508 (S.D.W.Va. Jan. 27, 2010), and directed that a copy of the case be transmitted to Petitioner for review. Accordingly, it is hereby **ORDERED** that the Clerk send of copy of Jefferson v. Berkebile, ___ F.Supp.2d ___, 2010 WL 391508 (S.D.W.Va. Jan. 27, 2010) to Petitioner.

The Clerk is further directed to transmit a copy of this Order to Petitioner, who is acting *pro se*, and counsel of record.

ENTER: April 16, 2010.



R. Clarke VanDervort
United States Magistrate Judge